



TEMPORARY AUTHORIZE QUORUM REDUCTION MEETING

April 5, 2021 10:00 A.M.

PLANNING MEETING MINUTES

TELECONFERENCE: 219-803-8769 PIN: 160 108 500#

I. MEETING CALL TO ORDER: 10:14AM

II. ROLL CALL: Harry "Sonny" Moore, President, Mike Halona, Vice President, Jean Crawford, Secretary/Treasurer, Gerald Moore, Grazing Official, Pernell Halona, Council Delegate, Elvis Bitsilly, LDA, Byron Bitsoie Sr., CLUPC

III. INVOCATION: Mrs. Leila Help Tully

IV. REVIEW-OF THE AGENDA: Harry "Sonny" Moore

V. COMMUNITY REQUESTS AND PRESENTATORS:

Thomas Bitsoie II – Not present.

Mr. & Mrs. Earl Tully and Mr. Thomas - Requesting for renewal of land use for the Church of Jesus Christ of Latter-Day Saints. Back on September 8, 2020 we came before the planning meeting to make this same request. We gave presentation and much discussion happened on land use. There were even recommendations made by the Secretary/Treasurer at the time. A document would be drawn up and finalized and we were asked to come back for the regular chapter meeting to present again. But because of the pandemic, this did not happen. I am requesting, again, today from the Chapter a document for the renewal of the land use of the Church. The document is called a "renewed mission lease." This lease is not to expand mission lease or property. The other aspect is to change the name of the facility from Tohatchi Mission to "Chuska Mountain Branch."

Vice President Halona – Is the current mission site still valid? If it is still valid, we just do a renewal. But if there are changes then we can address the changes but if everything is the same, meaning the same acres, the same use, the same lessee or permittee, it's still use for religious purposes, then simply submit documents to the General Land Development Department requesting for renewal of mission site lease. Then it will be moved over to RDC who will be approving this lease.

Earl Tully – Yes, everything is still the same and we have all the documents required to submit to General Land Development.

Vice President Halona – During this pandemic, we are asking for the President of the Chapters to write a support letter for a project and forgoing the resolution.

Vice President Halona – On the name change, no need to re-apply. You'll submit the new change, the new article of corporation that shows they have a new name. It is an amendment to their permit. They will get a new permit for next five years.

Letter from Fern Spencer, head coach read by Secretary/Treasurer – On March 15, 2021 at 8:56am, I was approached by Alice or Bonnie Natonabah when I was out with the cross-country team. We were practicing below hamburger hill when I was asked to leave their grazing land. I told her, I am waiting on my runners to come in when she proceeded to tell me we shouldn't be running on her area and that she would report me to the chapter and police. We have been down this road before, when the family wrote a letter to the school Athletic Director dated October 22, 2004. Then a memo from the chapter dated August 23, 2019 giving the cross-country team permission to use the area for annual cross-country meets. This has been an issue for some time and I am asking the Chapter for assistance in this matter.

Vice President Halona - We need to contact the Natonabah family to see who has grazing permit for the area and schedule a meeting with the family to discuss this issue. I suggest grazing official Moore take the lead on this.

President Moore – I would like to take this time to congratulate the Tohatchi High School Boys Cross Country team who took 2nd place at state.

Requests from Community:

No requests were submitted for assistance from community.

VI. DISCUSSION ITEMS and REPORTS

*Council Delegate Report – LDA(Elvis Bitsilly) We've had some meetings on teleconference, District 14 Council, Eastern Agency Council, and Ft Defiance Agency Council. The Council and the Navajo Nation President have been meeting weekly working on these legislations.

1. Emergency Funds (\$25,000)-Council Legislation – This legislation (001721), was passed on March 26, 2021 during the special session and now on President Nez's desk and has 10 days to sign. These funds are for local chapters to meet their \$25,000 allocated budget. Some of the chapters don't have any dollars so this legislation will replenish their dollar amount.
2. Gaming Funds-Unpaid Bills and FY 2021 Expenditure Plan – Expenditure plan is still on going and is at the President's office. Delegate Halona will have more information on this.
3. American Rescue Plan (ARP) – Couple of weeks ago, the US government gave notice to all Native American tribes across the country that they were going to distribute a billion dollars. The Navajo Nation is currently in work sessions and will be and on- going process. We don't know what dollar amount the Nation will be receiving but they will have up to 2024 to spend this money.

Crownpoint CPMD is delivering the heavy equipment to our Chapters. Last week, Coyote Canyon received their equipment and we should be getting our equipment soon. CPMD is requesting chapter officials to be in attendance for the receiving of the equipment.

We also have a new allocation of funds for Hay/Grain and Livestock feed (0021-21) which RDC approved back in March 2021. This allocation goes out to all the Chapters. The distribution is based on 50/50 standard and total budget is \$4 million dollars. I have our dollar amount for our chapter as \$38,202.30 which was allocated. In the legislation, it stipulates chapters have to submit a resolution for these funds and it will be left to the chapters to decide how they will provide assistance.

4. Capital Outlay – We are waiting on governor to sign off on our projects. She has until April 9th to sign the legislations and hopefully she will sign off on the Safety Complex Building for \$1 million.

Secretary/Treasurer Crawford – How does the Chapter plan to handle the application process for the Hay and Grain? Do we already have an application to give out?

LDA Bitsilly – It's going to be handled by the Community Development Department. They will have the forms/applications and notified the CSC on the process. I'm not sure exactly how this will be handled.

Grazing Officer Moore – FYI: With 121 permittees in our community, I did a quick math and use the \$16 per bale of hay, no grain, and looks like each permittee will get around 19-20 bales of hay.

Secretary/Treasurer Crawford – It would be nice to equally distribute the hay/grain funds among all the 121 permittees unless they decline to apply.

Julie B – You have to remember, not all permittees have livestock currently.

President Moore – I was on the teleconference call with Ft Defiance Agency Council meeting and I heard a figure from President Nez that the Nation will be getting \$2 Billion. He said the majority of money will be used for infrastructure like housing, powerline, broadband and waterline. Waiting on allocation and guidelines now. When was the last time the chapter did a community assessment? The two top infrastructure I'm thinking about is housing and waterline. Waterline is a lot more expensive and we need to find out who is in need of waterline in our community.

Secretary/Treasurer Crawford – Mr. Bitsilly can you please update us on OEH?

LDA Bitsilly – Due to COVID, everyone is now coming back into work but I will continue to reach out to their department.

Julie B – OEH works with NECA and NECA relays on OEH to setup projects for them.

Vice President Halona – We would need to conduct a comprehensive inventory to see who in our community needs waterlines, utility and homesite leases. We need to identify how many people need a lease to bring them into compliance. Arch. clearance can get with a letter, which, I have and can share. The biological clearance is simple because it's an existing home and would need a legal survey to show what area they are at, to be record properly. When money comes from NN, we need to ask for additional funds to bring these homes into compliance. It's going to cost about \$300 to \$600 for legal survey to be done and they if they need an Arch. clearance the cost will be about the same and the Navajo Nation does not provide these services anymore. The inventory will give us an idea as to where the assistance is needed in case of emergency.

President Moore – We need additional personnel. People who are certified to operate the heavy equipment that is coming in. People who have been trained and received their CDL, but the process is time consuming because it has to go through different departments in Window Rock, AZ.

We currently have \$8,465.00 in our emergency fund, we started with \$18,000 and the difference is \$9,535.00 which have been used. Mr. Bitsilly and Council Delegate Halona I want to bring gaming funds to your attention. The gaming fund has been allocated to pay for our expenses, but it seems like it gets hung up at OOC. Why is it so hard to tap into gaming funds? Now, they are asking for our expenditure plan.

*Community Service Coordinator Report

1. Status of Purchase Capital Equipment – We should be receiving a call from Casey Begay to let us know when the new equipment will be delivered. Equipment will be coming from Four Rivers.
2. Power Line, Water (IHS Dennis Murphy), Septic Tank and Leach Field, Bathroom Addition, Solar— Assessment of Community Needs – I heard Jean and Elvis were working on this but I did submit the list of names that Julie and I worked on to Mr. Dennis Murphy. I did talk with Sonny about going out into the community to do assessments. NTUA is also asking for the assessment for waterline and electrical services. They provided an application for community members to complete.
3. Meeting with Ben Cowboy-PCMD and NTUA-Powerline Reauthorization – We are waiting for the project numbers. They are held up at OOC office. We still have \$80,000 left from Mr. Notah's project.
4. Audit-Housing Discretionary Policy, Finding 1, PEP Policy, Inventory, Records, Non-Certified Chapters – Currently working on Housing Discretionary Policy with Jean, as far as PEP, there is no policy available at the Chapter. I will be putting one together which includes Inventory and Records.
5. Home Depot-Duplicate Checks – Dusty with Home Depot reversed the check, now waiting on bank statement from Wells Fargo to verify the reversal of the check.
6. Distribution of Supplies – We still have supplies here at chapter which include; boxes of hand sanitizers, bathroom tissue, liquid soap, thermometers, blankets, adult depends S-L-XL and children's pampers age 1-5. We also have buckets of cleaning supplies. Announcement are being made to the radio stations of availability of supplies. Chapter cannot keep these supplies.
7. We are waiting on the Funding for Navajo Nation sales tax, and unhealthy tax as well as the summer student employment which all have been approved.
8. PEP workers hours have been cut due to budget constraints. They are currently working 30-32 hours a week.
9. The chapter is looking for heavy equipment operator for part-time work. This person will assist Herbert. This position will be open until filled.

*Officials Report – President Moore

1. ICIP State Funds Status – waiting on Governor to sign off on project.

2. Warehouse – I need to write NTUA to ask for utility clearance. We have an Architect who is drawing out the plans.
3. East Flats Water Drilling – We will be meeting with Natanya Garnenez and (Souder&Miller) staff.
4. San Juan Lateral – This is a joint project with Mexican Springs. We will be asking Water Management Department if we can tap into the other funding resources that's available to get the \$3.37 million to do the preliminary plans.
5. Safety Complex-Abatement – I will be asking Vice President Halona and Council Delegate Halona to bring this project back up and setup meeting with Mary West and Jessie Delmar. This project will have to go through the procurement process again.
6. Impact Aid Status-24 Million will be coming to the schools. I would like to pursue a resolution or position letter to say what we want and need with our schools.
7. Fort Defiance Agency/Eastern Agency –Agency and Administrative Reporting – Tohatchi Chapter is still a part of Fort Defiance Agency.
8. The state of NM had an emergency meeting regarding the legalization of marijuana in NM. There is huge money involved in this.

Vice President Halona - If we control the production and distribution and the export of the product then we have leverage on our side being a Sovereign Nation. Internally, we need to develop the guidelines, policies, regulations and the laws. It will create jobs; per acre we will make more revenue, then for solar and we can do all the planting of marijuana at NAPI. The return is so high we could be a major player. If its government controlled on how, who and when, I see it as a huge generating production. In closing, I don't want anybody on Navajo using it, but it can be produced and exported right off of Navajo.

*CLUPC Report – We had our meeting April 2nd.

1. Veteran's Tract – Mr. Manuel Shirleson, President was here to talk about relinquishing the 6 acre land given to Veterans. He stated he will present this to the Veteran's Committee meeting which is on the 14th of April at the Catholic Church.
2. Cemetery Expansion – We got consent from Cecelia Yazzie and Bertha Desteia for the 2 acre expansion and now moving forward with General Land Department, Mr. Howard Martinez who provided the consent forms.
3. Rural Addressing and Physical Addresses (Mrs. Tagaban's email request) – Looking for maps here at the Chapter.
4. Illegal Dumping-Navajo Environment Protection Agency
5. Chooshgai Lake Rehabilitation – Mr. Nathan Notah did an extensive research with different entities like the Department of Agriculture, Water Resource, and Safety of Dams.
6. Abandoned Homesites: Grazing Officer Moore – We have a list of the abandon homesite leases. Now, we need to locate a map of the town of Tohatchi so we can coordinate and identify the lots. We will then get a letter out to the individuals and give them a deadline to respond, no response then it will go to public notice. Then I believe Mr. Halona signs off on the termination of homesite leases.

Council Delegate Halona – asking for update on the BIA tract (old Boarding School)?

Mr. Byron Bitsoie – I did find at the Chapter the survey plaque for the housing north of canal. I plotted the area which is 22.47 acres. I will add to the community development map with the boundary and I will also include the old BIA tract. I have one of my staff plotting all the homesites for Tohatchi and we are about 75% done and it will be added to the GIS community map as well.

Secretary/Treasurer Crawford – I'm wondering about the bridge between the old Post Office and Clinic? Was it replaced like planned?

Council Delegate Halona – The funding is still there and I'm working on the right of way and the project

should be starting hopefully this summer.

*Red Willow Farm Board Report – Plans are on-going and our priority is the power project and per Sonny Moore, will start in July 2021. I have a new conservation plan to share with committees. We have applications for lots that are available, please call the secretary Geneva Begay. The farm lots are open to all of District 14. We passed a resolution with the committee for In-kind Services. We also have a meeting scheduled tomorrow here at the Chapter at 1pm. Meeting time has been moved from 10:00am to 1:00pm.

Vice President Halona – Is there any plans to develop any alfalfa fields in the near future at Red Willow Farm. I think if we had a plan for 1000 acres, the Division of Natural Resources will take notice and they would say we can make this happen, let's do it.

Elvis Bitsilly – We are considering this as a Pilot Project in the near future.

Geneva Begay – We would like to have an account setup for Red Willow Farm Board.

*Grazing Official's Report – Suggestion made to Red Willow Farm Board to build a wall around farm area to keep out the livestock. I've been driving around the community and see how barren the tract of land has become due to the land being overgrazed, but I still see livestock out there who are in poor condition. Your range should support the number of animals out there, but it doesn't, it's over stock. Ideally, permittees should have only 8-10 cows, instead of 15-20 cows. We need to start educating and practicing conservation. We will be having a District Meeting on Wednesday, April 7th at Tohatchi Chapter at 9:00am. I'm also getting calls regarding starving cows. We had 8-10 cows out on the highway and thanks to NMDOT they were able to assist with removal of cows. Some other items which have come up are homesite lease and transfer of permits.

Vice President Halona – We are inheriting the symptoms of negligent and now we see the symptoms. We are now faced with a situation which will require a strong leadership to make the decisions to address and fix the symptoms, if not we will be leaving a desert to our grandchildren. I believe the Bureau (BIA) has to be pulled in for them to allow this to happen. Their negligence to do the clearing capacities and soil and vegetation inventories and NN has been asking for a report. Some of the range improvement needs to be a priority and its going to have to start with District 14. We have to bring back the responsible livestock ownership, because without the land we don't have anything. With these programs, we are always asked to get the consent of the permittees. If the land is already over grazed, should we be getting the consent of the permittees? I don't think so, per title 16 and 1401-1403.

Julie Badonie – Is the District 14 Grazing Meeting open to people? I saw an email that the chapters will now be open to meetings, no more than 25 people. Is this what the chapter will be allowing?

President Moore – I don't feel comfortable with opening up the chapter right now. The email stated 25% of people in a meeting room, but you can have meetings outside with more people in the parking lot.

*Tohatchi Health Center – Not present.

1. Status of Vaccinations

*Senior Citizen Report-Arlene Bia – Not present.

VII. RESOLUTIONS

Resolutions to Approve

- a. **Vincent Arthur, NTUA** – Supporting the Issuance of a Tribal Access Authorization Agreement from the Navajo Nation to the Tribal Utility Authority to Construct, Operate, and Maintain a Transmission line with Fiber Optics cable installation within the Tohatchi Chapter for Expanding Electricity, Redundancy, and Enhancing Communication Services.
- b. Red Willow Farm for In-Kind Service
- c. Gaming Funds-Resolution and Expenditure Plan

- d. Janice Begay employment to be extended from April 23, 2021 to September 24, 2021
- e. Revenues for 2nd Quarter to be put in O1 General Fund Account in the amount of \$5,429.00
- f. Approve to install Electrical services to the Tohatchi Chapter Warehouse. 2 bids have been submitted; 3rd bid no response.
- g. Hay, Grain, and Livestock Feed assistance.
- h. Request to add on a permanent employee for heavy equipment operator position.
- i. Impact Aid – the expectation for McKinley County Schools.

Motion: Vice President Halona 2nd: Gerald Moore Vote: 3-0-1

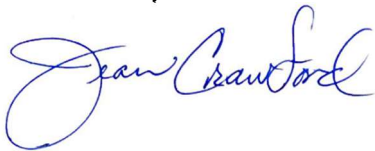
VIII. ANNOUNCEMENTS: Next Chapter Meeting April 21st @ 10:00am, District 14 Grazing Meeting, April 7th @ 9:00am, Red Willow Farm Board Meeting, April 6th @ 1:00pm, CLUPC Meeting May 7th @ 9:00am

IX. NEXT PLANNING MEETING DATE: May 3, 2021 @ 10:00am

X. ADJOURNMENT: 2:09pm

Motion: Vice President Halona 2nd: Gerald Moore Vote: 4-0-1

Submitted by;



Jean Crawford
Secretary / Treasurer
Tohatchi Chapter
April 09, 2021

cc: Mr. Sonny Moore, President
Mr. Mike Halona, Vice-President
Mr. Gerald Moore, Grazing Officer
Mr. Maria Allison King, CSC
Mr. Pernall Halona, Council Delegate
Mr. Elvis Bitsilly, LDA
Mr. Byron Bitsoie, Sr., CLUPC President
Ms. Geneva Begay, Red Willow Farm Board